

# Exhibit 1



## Curriculum Vitae: Scott Cooper, CMC, CECI Pegasus Squire, Inc.

Scott Cooper is a Principal at Pegasus Squire, Inc., specializing in Electronic Evidence, and is based in Los Angeles, California. Mr. Cooper has over 35 years' experience in Electronic Discovery, Computer Forensics, and Information Technology consulting. He is a nationally recognized expert, in both Federal and State courts, ranging from coast to coast, involving major corporate, legal, technology, pharmaceutical, bio-tech, financial, and oil & gas entities. His expertise bridges numerous matters, including electronic discovery and recovery, forensic analysis, litigation support, computer systems and electronic infrastructure services -- and, if needed, the corresponding expert testimony.

He and his team have been involved with numerous precedent setting matters, at Federal and State levels, dealing with Electronic Evidence, the associated processing, as well as forensic analysis.

Mr. Cooper's most notable engagements include working with the prevailing party on the nation's largest corporate Intellectual Property theft case, which created numerous Federal precedents in the area of Electronic Discovery. He has been awarded Industry Leader recognition by the Business Journal in Southern California, and has been highlighted in the New York Times.

He is Certified Management Consultant, a Certified Expert in Cyber Investigations, a certified federal and state expert witness, a Court's expert, and, on multiple occasions, has also been designated as Special Master and Court-appointed Referee.

Prior to his responsibilities at Pegasus, Mr. Cooper was a Senior Managing Director at FTI Consulting Inc.(NYSE:FCN), and was the senior-most person globally in their Electronic Evidence Consulting practice. Prior to joining FTI, in 1984 Mr. Cooper was a co-founder of INSYNC Consulting Group, a nationally recognized Electronic Discovery, Computer Forensics, and Information Technology consulting firm. Prior to that, he worked at KPMG Peat Marwick in their Management Consulting Group's Information Systems Services practice.

Mr. Cooper is a member of numerous professional organizations, including the Institute of Management Consultants (IMC), the High Technology Crime Investigation Association (HTCIA), the Los Angeles Electronic Crimes Task Force (LAECTF), InfraGard, the Forensic Expert Witness Association (FEWA), and Mensa. Scott has been certified by the California State Bar and the California AICPA as an authorized MCLE and CPE course provider. He lectures and teaches on a regular basis and has published numerous articles in *The National Litigation Consultant's Review* and *California CPA* magazine.

E-Discovery  
Unrivaled

- Strategy & Consulting
- Electronic Discovery
- Computer Forensics
- Expert Testimony

### Partial Client Listing

- |                                   |   |
|-----------------------------------|---|
| ▪ Allergan, Inc.                  | ▪ Lennar Corp.                          |
| ▪ Arthur Andersen & Co.           | ▪ Loeb & Loeb                           |
| ▪ Bank of America                 | ▪ Los Angeles District Attorney         |
| ▪ Beatrice Foods                  | ▪ Manatt, Phelps, Philips               |
| ▪ Blank Rome                      | ▪ Mattel Toys                           |
| ▪ City of Los Angeles             | ▪ Mitchell, Silberberg & Knupp          |
| ▪ Dentons US                      | ▪ N B C                                 |
| ▪ Dun & Bradstreet                | ▪ O'Melveny & Myers                     |
| ▪ Eastman Kodak                   | ▪ Paul Hastings Janofsky & Walker       |
| ▪ Ernst & Young                   | ▪ Perkins Coie                          |
| ▪ Exxon Oil                       | ▪ RBC Wealth Management / Dain Rauscher |
| ▪ Foley & Lardner                 | ▪ Reed Smith                            |
| ▪ General Electric                | ▪ RKO Pictures, Inc.                    |
| ▪ Greenberg Traurig               | ▪ Robins Kaplan Miller & Ciresi         |
| ▪ Howard Rice Nemerovski Canady   | ▪ Skadden, Arps, Slate, Meagher & Flom  |
| ▪ Infineon Technologies           | ▪ Sidley Austin Brown & Wood            |
| ▪ International Rectifier Corp.   | ▪ Sony Pictures Corporation             |
| ▪ Jeffer Mangels Butler & Marmaro | ▪ Southern California Edison            |
| ▪ Jones Day                       | ▪ State of California                   |
| ▪ Katten Muchin Rosenman          | ▪ Troop Meisinger Steuber & Pasich      |
| ▪ Kirkland & Ellis                | ▪ U.S. Department of Justice            |
| ▪ KPMG Peat Marwick               | ▪ Warner Brothers Entertainment Corp.   |
|                                   | ▪ The White House                       |

**Pegasus Squire, Inc.**  
12021 Wilshire Blvd, Ste. 770  
Los Angeles, CA 90025-1206  
2660 Townsgate Rd, Ste 280  
Westlake Vlg, CA 91361-5718  
1.866.208.6837  
www.PegasusSquire.com



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www.PegasusSquire.com

## Publications

- Western Regional Collegiate Cyber Defense Competition (WRCCDC), Judge. Along with partners Raytheon, Cisco, and the Department of Homeland Security, the annual competition was founded in 2004, and now exists across 9 regional US venues, then culminates in a national final to establish consistency and standards for educational institutions across the country to create a robust information assurance and cybersecurity curriculum. Q1 2009, 2010, 2012, 2014, 2015, 2016, 2017, 2018, 2019
- "Are You Missing 69 Percent of Your Information During Discovery?" National Litigation Consultants' Review, Q3 2008
- "The Perfect Storm, in a sea of Electronic Discovery issues..." National Litigation Consultants' Review, Q4 2007
- "Mitigate Threats to Trade Secrets & Intellectual Property." San Fernando Valley Business Journal, Q3 2007
- "The Revised Rules of Civil Procedure, a next step." National Litigation Consultants' Review, Q3 2007
- "Inside Job: Without the Right IP Protection, Internal Abuse is a Fear-inducing Threat." California CPA Magazine, Q3 2007
- "Disaster Preparedness: Not Just for Big Businesses." San Fernando Valley Business Journal, Q2 2007
- "The Revised Federal Rules of Civil Procedure: Practical Implications Related to "Electronically Stored Information." National Litigation Consultants' Review, Q2 2007
- "Information: A company's most valuable, yet mismanaged, asset." California CPA: Technology & Business Resource Guide, Q2 2007
- "The Revised Federal Rules of Civil Procedure: as explained." National Litigation Consultants' Review, Q2 2007
- "Information Technology - A Strategic Toolbox." National Litigation Consultants' Review, Q1 2007
- "Electronic Discovery...Computer Forensics...How to Take Advantage of the Right One at the Right Time?" National Litigation Consultants' Review, Q4 2006
- "Peace-of Mind from Disaster Recovery Planning." National Litigation Consultants' Review, Q3 2006
- "Perfect fIT: an IT Plan that doesn't Break the Bank." California CPA: Technology & Business Resource Guide, Q3 2006
- "Electronic Discovery and Computer Forensics: Perspective and Process." County Bar Update, LA County Bar Association, Q2 2005
- "Electronic Discovery...Computer Forensics...How do you Take Advantage of the Right One at the Right Time?" The Bottom Line, Q2 2005
- "Disaster Recovery Plans Can Keep Your Business Alive." California CPA: Technology & Business Resource Guide, Q2 2005
- "The First Call." California CPA: Technology & Business Resource Guide Q2 2004
- "Client Triggers IT Opportunities for CPAs." California CPA Magazine, Q1 2004
- "Beating Down the Evidence Trail with Computer Forensics." California CPA Magazine, Q1 2003
- "Strategies for Creating an Intelligent IT Plan." California CPA Magazine, Q4 2002
- "Avoiding IT Pitfalls." California CPA Magazine, Q3 2002
- "Additional Tools in the Forensics Box." National Litigation Consultants' Review, Q2 2002
- "Protecting Your Organization's Data." Association Technology Insights, Q2 2002



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Westlake Vlg, CA 91361-5718  
1.866.208.6837  
www.PegasusSquire.com

## Presentations, Seminars, and Speaking Engagements

- "Preservation, Discovery, and the FRCP", Law Office of Thomas K. Bourke, 5/7/20
- "E-Discovery, the EDRM Steps 6-7-8 (Review, Analyze and Produce)", Blank Rome, 1/31/18
- "Mechanics & Issues Surrounding EDRM ESI Review and Production", Adli Law Group 11/15/17
- "Data Security, e-Discovery, and ABA Ethics (including ABA Formal Opinion 477R - May 2017)" Swerdlow Florence Sanchez Swerdlow & Wimmer, 8/23/17
- "Protecting Client Data", Hansen, Jacobsen, Teller, Hoberman LLC, 6/20/17.
- "Around the (E-Discovery & Computer Forensics) world in 80 nanoseconds: How and When to Use ED and CF", Miller Barondess, 1/23/17
- "Around the World in 80 Minutes with E-Discovery", Byrne & Nixon, 12/21/15
- "E-Discovery & Computer Forensics – How and When to Use Them", Herzog, Yuhas, Ehrlich & Ardell, 12/18/15
- "Info Security ("InfoSec") Executive Discussion". LA25, 10/28/15
- "E-Discovery – From Here to Eternity" Blanchard, Krasner & French, 3/31/14
- "Native File Productions – How to get them done easily", Ropers, Majeski, Kohn, Bentley PC, 12/28/12
- "The Fundamentals of E-Discovery in Trade Secret Cases", Bridgeport's Protecting & Litigating Trade Secrets in California, 6/24/11
- "E-Discovery in 2011 and Beyond", Bridgeport's E-Discovery for Smaller Organizations: Law Firms and Legal Departments, panel discussion, 5/18/11
- "The Intersection of Family Law and E-Discovery" Encino Family Law Group, 8/19/2009
- E-Discovery Panel, presented to the Beverly Hills Bar Association, with Judge Isabel Cohen, 4/15/2009
- "E-Discovery – The Fine Line Between Contempt and Compliance" U.S. Federal Judges' Conference, 10/3/08
- "Revised Federal Rules of Civil Procedure." Snell and Wilmer Clients and Counsel Presentation, 11/8/07
- "Litigation Readiness: Risk & Exposure mitigation as related to Electronically Stored Information." Snell and Wilmer MCLE, 8/07
- "Electronic Discovery: New Rules & Best Practices. Impacts/issues related to the revised Electronic Discovery Rules." Cal CPA Advanced Litigation Conference, 5/3-4/07
- "Electronic Evidence, Discovery and Forensics. Issues and Best Practices." Koppel, Patrick, Heybl & Dawson, 4/4/07
- "Electronic Discovery: Pitfalls & Best Practices. Impact of the revised Electronic Discovery Rules." Cal CPA Litigation Steering Committee, 1/25-26/07
- "Electronic Discovery & Computer Forensics - Issues, Methods, and Best Practices."
  - Orange County Professional Business Forum, 10/3/06
  - Los Angeles Professional Business Forum, 6/8/06
  - International Technology Law Association 35th Anniversary – Annual Meeting & World Conference, 5/5/06
  - Employer Advisory Council, 4/18/06
- "Your Strategic Advantage: Electronic Discovery and Computer Forensics." CPA Law Society, 2/24/06
- "Electronic Discovery & Computer Forensics - I Spy ..." American Academy of Matrimonial Lawyers 13th Annual Institute of Trial Advocacy, 1/15/06
- "What Are They Hiding?" Wolf, Rifkin, Shapiro & Schulman, LLP, 12/2/05
- "Success through Electronic Discovery and Computer Forensics Strategies." California CPA Education Foundation 2005 Advanced Business Litigation Institute, Palm Desert



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- Strategy & Consulting
- Electronic Discovery
- Computer Forensics
- Expert Testimony

- "Electronic Discovery and Computer Forensics – Uncovering and Proving Fraud." California CPA Education Foundation 2005 Financial Statement & Tax Fraud Conference, San Francisco and Long Beach, 6/16-17/05
- Los Angeles Chapter High Technology Crime Investigation Association, 5/5/05
- "Three Decades of Solutions." Electronic Discovery and Computer Forensics, 3/22/05
- "Electronic Discovery and Computer Forensics – Strategy & Tactics." Ventura County Bar Association, 3/8/05
- "Protecting Your Information Assets." 2/24/05
- "Computers, Discovery, and Forensics – Be Proactive AND Reactive." Jeffer, Mangels, Butler & Marmaro PPC Managing Partners Roundtable, 11/9/04
- "Fundamentals of Electronic Discovery and Computer Forensics." American College of Family Trial Lawyers, 4/16/04
- "Protecting Your Assets – Data Security Practices." 3/15/04
- "Abstracting a Case for Electronic Discovery." Stegmeier & Gelbart, 11/3/03
- "Fundamentals of Electronic Discovery." Southern California Chapter, American Academy of Matrimonial Lawyers, 10/18/2003
- Electronic Discovery Overview: SAS70, HIPAA, SB1386 and GLB ACT - 8/29/03
- Improve Your Discovery Techniques: The Risk/Reward Proposition of Electronic Discovery and Computer Forensics - Management Law Practice Forum - 7/16/03
- Electronic Discovery Opportunities in Litigation - Legal Industry Council - 3/25/03
- Cybercrime and Computer Forensics - LA County Bar – Law Practice Mgt. - 4/30/02
- Association Automation: Software and Technology Update - CSAE Conference - 9/14/01
- Criminal Law Section, Litigation Section and Family law Section - LA County Bar - 9/14/01
- Forensics and Electronic Discovery -- Data Protection - LA County Bar Association, Law Practice Management - 3/27/01
- Bankers' Technology and Accounting System Primer - City National Bank - 3/27/01
- Introduction to Accounting Software and Business Automation - Stonefield Josephson, Inc., CPA's - 3/01
- Electronic Discovery and Forensics - Santa Fe Springs Chamber of Commerce Business Briefing - 11/15/00
- Legal implications of Electronic Discovery - Rutter Hobbs & Davidoff LLP - 9/25/00
- Accounting Software: What's right for your Client? - Farber & Hass, CPA's - 8/31/00
- Prudent Business Technology Practices - Dutch Franklin and Company, CPA's - 8/3/00

## Employment History

- 2008 to Present: Pegasus Squire, Inc. - - Principal
- 2007 to 2008: FTI Consulting, Inc. - - Senior Managing Director, Technology
- 1984 to 2007: INSYNC Consulting Group, Inc. - - Managing Director
- 1982 to 1984: KPMG Peat Marwick - - Senior Consultant, Management Consulting Department, Information Systems Services Group.

## Memberships

- Institute of Management Consultants (IMC)
- McAfee Institute (CECI)
- High Technology Crime Investigation Association (HTCIA)
- Los Angeles Electronic Crimes Task Force (LAECTF)
- InfraGard
- Forensic Expert Witness Association (FEWA)
- American Society for Industrial Security (ASIS)
- Los Angeles Fire Department Foundation
- Mensa

**Pegasus Squire, Inc.**  
12021 Wilshire Blvd, Ste. 770  
Los Angeles, CA 90025-1206  
2660 Townsgate Rd, Ste 280  
Westlake Vlg, CA 91361-5718  
1.866.208.6837  
www.PegasusSquire.com

# Exhibit 2

# INVOICE



Pegasus Squire, Inc.  
12021 Wilshire Blvd., Ste 770  
Los Angeles, CA 90025-1206  
(866) 208-6837

INVOICE NUMBER: IN-420.8856

INVOICE DATE: 09/16/2022

MATTER/CLIENT: SMALTO/TNMD

TERMS: Net 30

Daniel Barham  
Barham & Maucere LLC  
7209 Haley Industrial Dr Ste 210  
Nolensville, TN 37135

Jarrold D. Shaw  
McGuireWoods LLP  
260 Forbes Ave Ste 1800  
Pittsburgh, PA 15222

PAYMENT DUE: 10/16/2022

CLIENT AGREEMENT: Docket 188,  
Order of 8/3/22

SALES TAX CODE: OOS

## TASK/DESCRIPTION

Special Master services rendered in conjunction with the  
Vimala et al v Wells Fargo Bank et al matter; Case No: 3:19-cv-00513,  
for the period ending 08/31/2022.

<u>Special Master Assignment:</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>	<u>TX</u>
- Project Retainer (to be applied to the final invoice)			\$25,000.00	n
- SMC services	22.2	690.00	\$15,318.00	n
- MAA services	44.7	340.00	\$15,198.00	n
- MBD services	4.1	190.00	\$ 779.00	n
Subtotal Services			<u>\$56,295.00</u>	

## Project Scope:

Court-appointed Special Master in the Vimala v Wells Fargo Bank matter.

## Project/Tasks:

- Special Master duties, conference calls, e-mails, discovery review
- Additional communications with B-M (D Barham, Z Darnell),  
MGW (J Shaw, N Hestin), USDC TN Mid
- Review matter schedule, progress, & upcoming deadlines
- Review case related documents, including: emails, docket items, forensic  
reports, depositions, declarations, motions, orders, correspondence
- Data examination and initial analysis
- Hearing prep/participation

## **PLEASE REMIT PAYMENT TO:**

Pegasus Squire, Inc. 12021 Wilshire Blvd., Ste 770 Los Angeles, CA 90025-1206 fid 81-0545941	NET SERVICES:	\$56,295.00
	NET EXPENSES:	\$ 0.00
	INVOICE TOTAL:	<u>\$56,295.00</u>
	<b>TOTAL DUE:</b>	<b><u>\$56,295.00</u></b>
	<b>PLAINTIFFS/B-M 33.3% DUE:</b>	<b><u>\$18,746.24</u></b>
	<b>DEFENDANTS/MGW 67.3% DUE:</b>	<b><u>\$37,548.76</u></b>



# INVOICE



Pegasus Squire, Inc.  
12021 Wilshire Blvd., Ste 770  
Los Angeles, CA 90025-1206  
(866) 208-6837

INVOICE NUMBER: IN-420.9858

INVOICE DATE: 10/03/2022

MATTER/CLIENT: SMALTO/TNMD

TERMS: Net 30

Daniel Barham  
Barham & Maucere LLC  
7209 Haley Industrial Dr Ste 210  
Nolensville, TN 37135

Jarrold D. Shaw  
McGuireWoods LLP  
260 Forbes Ave Ste 1800  
Pittsburgh, PA 15222

PAYMENT DUE: 11/02/2022

CLIENT AGREEMENT: Docket 188,  
Order of 8/3/22

SALES TAX CODE: OOS

## TASK/DESCRIPTION

Special Master services rendered in conjunction with the  
Vimala et al v Wells Fargo Bank et al matter; Case No: 3:19-cv-00513,  
for the period ending 09/30/2022.

<u>Special Master Assignment:</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>	<u>TX</u>
- SMC services	38.4	690.00	\$26,496.00	n
- MAA services	53.2	340.00	\$18,088.00	n
- MBD services	2.8	190.00	\$ 532.00	n
Subtotal Services			<u>\$45,116.00</u>	

## Project Scope:

Court-appointed Special Master in the Vimala v Wells Fargo matter.

## Project/Tasks:

- Special Master duties, conference calls, e-mails, discovery review
- Additional communications (incl Zoom calls) with:  
B-M (D Barham, S Maucere, Z Darnell), MGW (J Shaw, N Hestin), USDC TN Mid
- Review matter schedule, progress, & upcoming deadlines
- Review case related documents, including: emails, docket items, forensic reports, depositions, declarations, motions, orders, correspondence, 2017 sales recap
- Continued data examination and analysis
- Conference calls with Judge Richardson
- Prepare for/participate in Para9/"initial call"
- Prepare for/request related documents, data, testimony

<u>DATA SERVICES/EXPENSES:</u>	<u>QTY</u>	<u>EACH</u>	<u>TOTAL</u>	<u>TX</u>
- 2TB HDD	1	\$47.00	\$ 47.00	i
Subtotal			<u>\$ 47.00</u>	

## **PLEASE REMIT PAYMENT TO:**

Pegasus Squire, Inc. 12021 Wilshire Blvd., Ste 770 Los Angeles, CA 90025-1206 fid 81-0545941	NET SERVICES:	\$45,116.00
	NET EXPENSES:	\$ 47.00
	INVOICE TOTAL:	<u>\$45,163.00</u>
	TOTAL DUE:	<u>\$45,163.00</u>
	PLAINTIFFS/B-M 33.3% DUE:	<u>\$15,039.28</u>
	DEFENDANTS/MGW 66.7% DUE:	<u>\$30,123.72</u>



# INVOICE



Pegasus Squire, Inc.  
12021 Wilshire Blvd., Ste 770  
Los Angeles, CA 90025-1206  
(866) 208-6837

INVOICE NUMBER: IN-421.0859

INVOICE DATE: 11/04/2022

MATTER/CLIENT: SMALTO/TNMD

TERMS: Net 20

Daniel Barham  
Barham & Maucere LLC  
7209 Haley Industrial Dr Ste 210  
Nolensville, TN 37135

Jarrold D. Shaw  
McGuireWoods LLP  
260 Forbes Ave Ste 1800  
Pittsburgh, PA 15222

PAYMENT DUE: 11/24/2022

CLIENT AGREEMENT: Docket 188,  
Order of 8/3/22

SALES TAX CODE: OOS

## TASK/DESCRIPTION

Special Master services rendered in conjunction with the  
Vimala et al v Wells Fargo Bank et al matter; Case No: 3:19-cv-00513,  
for the period ending 10/31/2022.

<u>Special Master Assignment:</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>	<u>TX</u>
- Add'l Project Retainer (to be applied to the final invoice)			\$25,000.00	
- SMC services	31.1	690.00	\$21,459.00	n
- MAA services	56.9	340.00	\$19,346.00	n
- MBD services	2.4	190.00	\$ 456.00	n
Subtotal Services			<u>\$66,261.00</u>	

## Project Scope:

Court-appointed Special Master in the Vimala v Wells Fargo matter.

## Project/Tasks:

- Special Master duties, conference calls, e-mails, discovery review
- Additional communications (incl Zoom calls) with:  
B-M (D Barham, S Maucere, Z Darnell), MGW (J Shaw, N Hestin), USDC TN Mid,
- Review matter schedule, progress, & upcoming deadlines
- Review case related documents, including: emails, docket items, forensic reports, depositions, declarations, motions, orders, correspondence, 2017 sales recap
- Continued data examination and analysis
- Conference calls with Judge Richardson
- Prepare for/request related documents, data, testimony (& clarifications)
- Generate Deliverables:
  - d42j01 - 10/1 Follow-up inquiries from Special Master

## **PLEASE REMIT PAYMENT TO:**

Pegasus Squire, Inc.  
12021 Wilshire Blvd., Ste 770  
Los Angeles, CA 90025-1206  
fid 81-0545941

NET SERVICES: \$66,261.00

NET EXPENSES: \$ 0.00

INVOICE TOTAL: \$66,261.00

**TOTAL DUE: \$66,261.00**

**PLAINTIFFS/B-M 33.3% DUE: \$22,064.91**

**DEFENDANTS/MGW 66.7% DUE: \$44,196.09**

# INVOICE



Pegasus Squire, Inc.  
12021 Wilshire Blvd., Ste 770  
Los Angeles, CA 90025-1206  
(866) 208-6837

INVOICE NUMBER: IN-421.1863

INVOICE DATE: 12/02/2022

MATTER/CLIENT: SMALTO/TNMD

TERMS: Net 20

Daniel Barham  
Barham & Maucere LLC  
7209 Haley Industrial Dr Ste 210  
Nolensville, TN 37135

Jarrold D. Shaw  
McGuireWoods LLP  
260 Forbes Ave Ste 1800  
Pittsburgh, PA 15222

PAYMENT DUE: 12/22/2022

CLIENT AGREEMENT: Docket 188,  
Order of 8/3/22

SALES TAX CODE: OOS

## TASK/DESCRIPTION

Special Master services rendered in conjunction with the  
Vimala et al v Wells Fargo Bank et al matter; Case No: 3:19-cv-00513,  
for the period ending 11/30/2022.

<u>Special Master Assignment:</u>	<u>HOURS</u>	<u>RATE</u>	<u>AMOUNT</u>	<u>TX</u>
- SMC services	33.7	690.00	\$23,253.00	n
- MAA services	41.2	340.00	\$14,008.00	n
- MBD services	2.9	190.00	\$ 551.00	n
Subtotal Services			<u>\$37,812.00</u>	

## Project Scope:

Court-appointed Special Master in the Vimala v Wells Fargo matter.

## Project/Tasks:

- Special Master duties, conference calls, e-mails, discovery review
- Additional communications (incl Zoom calls) with:  
B-M (D Barham, S Maucere, Z Darnell), MGW (J Shaw, N Hestin), USDC TN Mid
- Review matter schedule, progress, & upcoming deadlines
- Review case related documents, including: emails, docket items, forensic reports, depositions, declarations, motions, orders, correspondence, 2017 sales recap
- Continued data examination and analysis
- Conference calls with Judge Richardson
- Prepare for/request related documents, data, testimony (& clarifications)
- Conduct 11/17 hearing with A Venkataraman & counsels
- Generate Deliverables:
  - D42k01 - 11/11 Court communication
  - D42k02 - 11/16 Court communication
  - D42k03 - 11/30 Court communication

## PLEASE REMIT PAYMENT TO:

Pegasus Squire, Inc. 12021 Wilshire Blvd., Ste 770 Los Angeles, CA 90025-1206 fid 81-0545941	NET SERVICES:	\$37,812.00
	NET EXPENSES:	\$ 0.00
	INVOICE TOTAL:	<u>\$37,812.00</u>
	<b>TOTAL DUE:</b>	<b><u>\$37,812.00</u></b>
	<b>PLAINTIFFS/B-M 33.3% DUE:</b>	<b><u>\$12,591.40</u></b>
	<b>DEFENDANTS/MGW 66.7% DUE:</b>	<b><u>\$25,220.60</u></b>

# Exhibit 3

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**From:** Daniel Barham <dan@b-m.law>  
**Sent:** Thursday, December 22, 2022 1:32 PM  
**To:** scott  
**Cc:** Scott Maucere; Shaw, Jarrod D.; Hestin, Nellie E.; pSmalto; Alecia Vimala  
**Subject:** RE: pSmalto - overdue balance (rr)

Mr. Cooper,

As you have requested, I am following up from yesterday's email exchange. I can confirm that I have reviewed our IOLTA account balances for Vimala, any of plaintiffs, or for any client related to plaintiffs. We hold no money for any such person or entity in our IOLTA and we do not have any expectation of money from such person or entity.

Further, I have discussed a specific plan with Ms. Venkataraman. Via email, she stated that there are no funds available to pay the invoices. We spoke earlier today via phone at which time she informed me and Mr. Maucere that Vimala and Ms. Venkataraman were terminating Barham & Maucere as counsel. We received an email to that effect shortly thereafter. In that email, she asked that she be copied on any correspondence pertaining to this matter, and I have copied her here. She has further stated that she has revoked our (B&M attorneys') authorization to speak on her behalf in this matter.

Thank you,

**Daniel O. Barham, Esq.**  
Licensed in IL, MA, MN, OH, TN, & WI only  
[dan@b-m.law](mailto:dan@b-m.law)  
[b-m.law](http://b-m.law)

## BARHAM & MAUCERE LLC

Barham & Maucere LLC  
7209 Haley Industrial Dr., Ste 210  
Nolensville, TN 37135  
Office +1 615.490.8888  
Mobile +1 615.415.8087  
Fax +1 615.490.8733

Ohio Office  
123 South Broad St, Ste 305  
Lancaster, OH 43130  
Office + 1 740.689.9828

PRIVATE AND CONFIDENTIAL

This law firm may be deemed a debt collector under the Fair Debt Collection Practices Act (FDCPA), and, as such, may be required to inform you that this is an attempt to collect a debt, and any information provided will be used for that purpose.

---

**From:** scott <[scott@pegasussquire.com](mailto:scott@pegasussquire.com)>

**Sent:** Wednesday, December 21, 2022 2:11 PM

**To:** Daniel Barham <[dan@b-m.law](mailto:dan@b-m.law)>

**Cc:** Scott Maucere <[scott@b-m.law](mailto:scott@b-m.law)>; Shaw, Jarrod D. <[JShaw@mcguirewoods.com](mailto:JShaw@mcguirewoods.com)>; Hestin, Nellie E. <[NHestin@mcguirewoods.com](mailto:NHestin@mcguirewoods.com)>; pSmalto <[psmalto@pegasussquire.com](mailto:psmalto@pegasussquire.com)>

**Subject:** RE: pSmalto - overdue balance (rr)

Mr. Barham, thank you for this prompt reply. We will still wait for those 24 hours (or sooner) to receive any specific plan from either your firm or from plaintiffs.

BTW, you referenced no funds to pay our invoices, but you included 3 qualifiers:

- 1) "held in trust or retainer",
- 2) "for Vimala", and
- 3) "that can be applied"

Are you aware of ANY funds, whether or not they are "held in trust or retainer", whether or not they are "for Vimala" or for any of the plaintiffs (or related to any of the plaintiffs), whether or not you believe they "can be applied", that either existed:

- a) Prior to 8/3,
- b) On/after 8/3, or
- c) Anticipated in the near future

Thank you.

With best regards,

-scott.



*Scott Cooper*, CMC / CECI

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**From:** Daniel Barham <[dan@b-m.law](mailto:dan@b-m.law)>

**Sent:** Wednesday, December 21, 2022 11:53 AM

**To:** scott <[scott@pegasussquire.com](mailto:scott@pegasussquire.com)>

**Cc:** Scott Maucere <[scott@b-m.law](mailto:scott@b-m.law)>; Shaw, Jarrod D. <[JShaw@mcguirewoods.com](mailto:JShaw@mcguirewoods.com)>; Hestin, Nellie E. <[NHestin@mcguirewoods.com](mailto:NHestin@mcguirewoods.com)>; pSmalto <[psmalto@pegasussquire.com](mailto:psmalto@pegasussquire.com)>

**Subject:** Re: pSmalto - overdue balance (rr)

We will immediately inquire with Ms. Venkataraman. It is our understanding that the Court has indeed ordered (by its order appointing you as Special Master) that Plaintiffs Venkataraman and Vimala to pay 33% of your fees. We have advised her of that obligation and the enforcement powers available to you and the Court. I'm sure you appreciate that we, as her legal counsel, can advise and insist but cannot force her to comply with the order. We can assure you that we have no money held in trust or retainer for Vimala that can be applied.

Thank you,

Dan Barham

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**From:** scott <[scott@pegasussquire.com](mailto:scott@pegasussquire.com)>

**Sent:** Wednesday, December 21, 2022 1:44:10 PM

**To:** Daniel Barham <[dan@b-m.law](mailto:dan@b-m.law)>

**Cc:** Scott Maucere <[scott@b-m.law](mailto:scott@b-m.law)>; Shaw, Jarrod D. <[JShaw@mcguirewoods.com](mailto:JShaw@mcguirewoods.com)>; Hestin, Nellie E. <[NHestin@mcguirewoods.com](mailto:NHestin@mcguirewoods.com)>; pSmalto <[psmalto@pegasussquire.com](mailto:psmalto@pegasussquire.com)>

**Subject:** pSmalto - overdue balance (rr)

Hello Mr. Barham,

As you are aware, beginning on 8/3 (via the Court's Doc 188 Order paragraph 17) over the next 4 ½ months, through today 12/21, no portion of Plaintiffs' share of the Special Master invoices have been paid - - despite our repeated related emails. In addition to that obligation, and in concert with the Court's Doc 203 Order from yesterday 12/20, what is your firm's plan and/or your clients' plan to immediately pay those amounts due? Or, will I need to file the motion for contempt and an order for payment as referenced in yesterday's order?

The balance due for the first 4 months of work (through 11/30), excluding the retainer portions, is \$51,791.83. (And, that balance will increase slightly once the invoice for our December work is issued [plus, invoices for any needed future related work].)

Please get back to me within 24 hours (or sooner) with your answer.

Thank you.

With best regards,

-scott.



*Scott Cooper*, CMC / CECI